

Willard J. Moody, Jr. #22866
Jonathan Hogins, #83982
The Moody Law Firm
500 Crawford Street, Suite 200
Portsmouth, VA 23704
Phone: (757) 393-6020
Fax: (757) 399-3019
Email: Will@moodyrllaw.com
Attorneys on behalf of Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

**IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION**

No. MD-15-02641-PHX-DGC

**AMENDED SECOND
AMENDED MASTER SHORT FORM
COMPLAINT FOR DAMAGES FOR
INDIVIDUAL CLAIMS AND DEMAND
FOR JURY TRIAL**

**This Document Pertains to
Member Case: 2:17-cv-00777-PHX-DCG**

Plaintiff(s) named below, and for their Complaint against Defendants named below,
incorporate The Master Complaint in MDL No. 2641 by reference. Plaintiff(s) further show the
court as follows:

1. Plaintiff/Deceased Party:
Patricia Calim
2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium
claim:
Aman Calim
3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator)
N/A

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

Ohio

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

Ohio

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

Ohio

7. District Court and Division in which venue would be proper absent direct filing:

In the United States District Court for the Southern District of Ohio

8. Defendants (Check Defendants against whom Complaint is made):

☒ C.R. Bard Inc.

☒ Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction

☒ Diversity of Citizenship

- a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

Paragraphs 1 through 15 of the Master Complaint

A substantial portion of the events leading to Plaintiff's injuries arose in Ohio making venue proper.

10. Defendants' Inferior Vena Cava Filter (s) about which Plaintiff(s) is making a claim

(Check applicable Inferior Vena Cava Filter(s)):

- ☐ Recovery ®Vena Cava Filter
- ☐ G2 ®Vena Cava Filter
- ☐ G2® Express (G2X) Vena Cava Filter
- ☐ Eclipse® Vena Cava Filter
- ☐ Meridian® Vena Cava Filter
- ☒ Denali® Vena Cava Filter
- ☐ S. Other:

11. Date of Implantation as to each Product

12/23/2013

12. Counts in the Master Complaint brought by Plaintiff(s)

- ☒ Count I: Strict Products Liability-Manufacturing Defect
- ☒ Count II: Strict Products Liability-Information Defect (Failure to Warn)
- ☒ Count III: Strict Products Liability-Design Defect
- ☒ Count IV: Negligence- Design
- ☒ Count V: Negligence-Manufacture
- ☒ Count VI: Negligence-Failure to Recall/Retrofit
- ☒ Count VII: Negligent Misrepresentation
- ☒ Count VIII: Negligent *Per Se*
- ☒ Count X: Breach of Express Warranty
- ☒ Count XI: Breach of Implied Warranty
- ☒ Count XII: Fraudulent Misrepresentation
- ☒ Count XIII: Fraudulent Concealment
- ☒ Count XIV: Violations of Applicable Virginia Law
Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
- ☒ Count XV: Loss of Consortium

Date: May 10, 2017

By: /s/ Willard J. Moody, Jr.
Willard J. Moody, Jr. Esq.
Jonathan Hogins, Esq.
THE MOODY LAW FIRM, INC.
500 Crawford St. Ste. 200
P.O. Box 1138
Portsmouth, VA 23705
(757) 393-6020
(757) 399-3019 facsimile
will@moodyrrlaw.com